

Protect Our Wildlife, Humane Society of the United States, Green Mountain Animal Defenders' responses to VT Fish & Wildlife Department's trapping BMP proposals

We do not believe trapping BMPs will improve animal welfare or reduce non-target capture. Protect Our Wildlife and HSUS did, however, participate in each of the working group sessions in good faith.

VFWD's Proposal: Meat-based bait used in conjunction with trapping shall be covered at the time the trap is set. Coverings shall include, but are not limited to, brush, branches, leaves, soil, snow, water, or enclosures constructed of wood, metal, wire, plastic, or natural materials.

Wildlife advocates' original recommendation: Prohibit baiting a trap with meat or other animal-derived products if the bait is visible from the air (on both public and private lands). All baits should be covered or buried and set away from trap by 50 feet to reduce the incidental takes of bald eagles and other bird species.

Wildlife advocates' issue VFWD recommendation: By only restricting "meat-based bait," VFWD fails to protect raptors who can see other types of bait from above.

Maine requires all bait to be completely covered to prevent it from being seen from above, and it must be covered in such a way as to withstand wind action and other normal environmental conditions. Animal matter (e.g., feathers, bone, and fur) meet the definition of bait and visible attractor and must be covered or not visible from above.

The following images are of a raven that was caught in a leghold trap in Randolph, Vermont. Fish & Wildlife's recommendations will not prevent future non-target captures.





VFWD's proposal: No meat-based baited, body-gripping traps shall be set on the ground. However, baited body-gripping traps with a jaw spread up to and including 60 in² (up to and including size 220 traps) can be used on land if the trap is placed at least 5' above the ground or placed within an enclosure with openings no greater than 60 in² and with a trap trigger that is recessed at least 12" from all openings.

Wildlife advocates' original recommendation: Body gripping kill traps **prohibited on land** and body gripping kill traps should be fully submerged underwater.

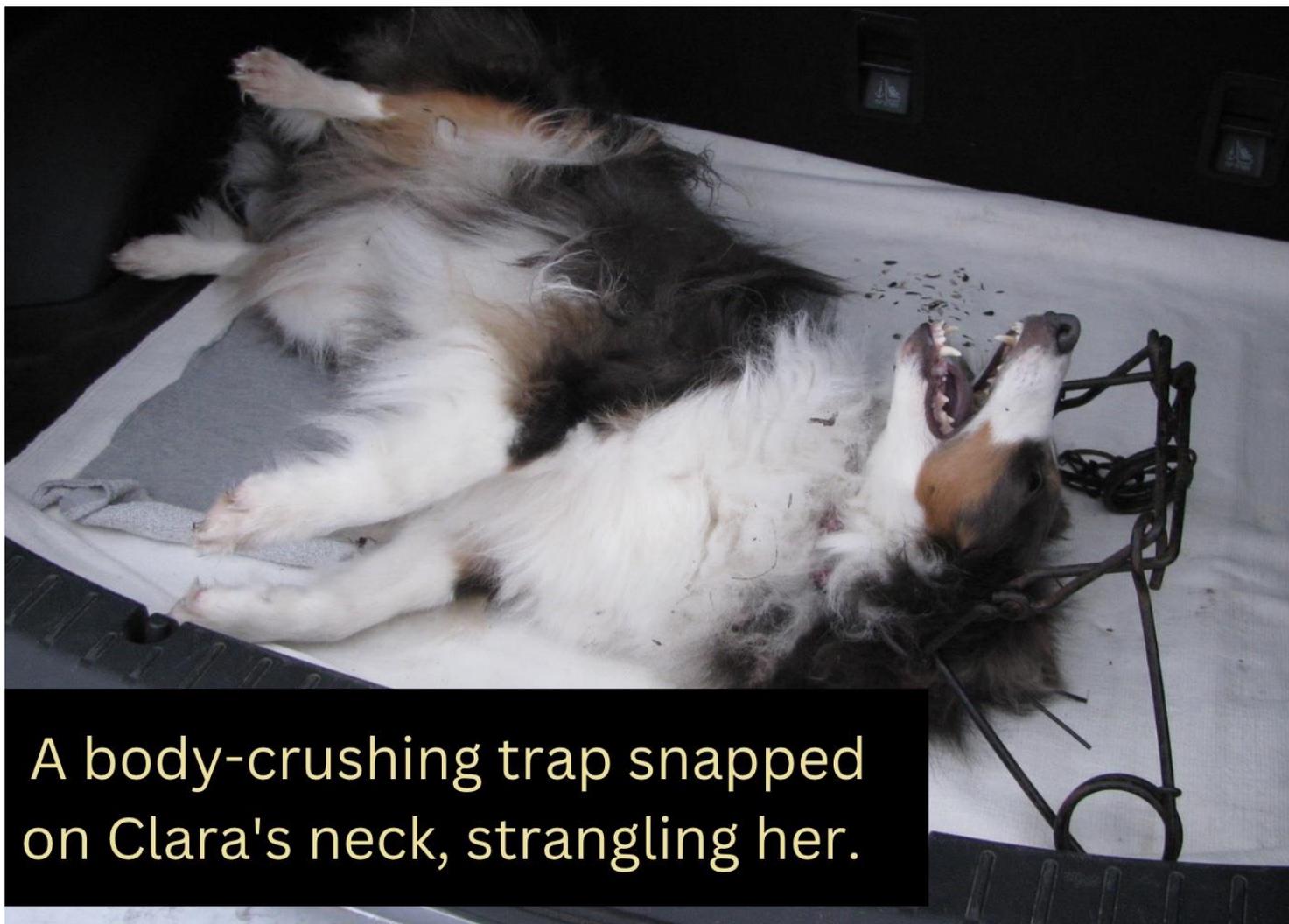
Wildlife advocates' issue with VFWD's recommendations: Fish & Wildlife's recommendation still allows body gripping kill traps on land which does not even align with other states' policies.

Traps on the ground using "non meat-based bait" such as visual (e.g. feathers) or scent lures, or other food types, as they propose, will still trap and kill a curious dog, cat or other non-target animal.

Their proposal still allows a kill trap up to and including 7 ½ inches **using meat-based bait** on land, but with modifications, but that won't prevent non-target captures. A small dog, cat or other non-targeted animal can still be killed in ground sets.

Their proposal still allows meat-based kill traps in a tree, which places black bears and other non-targets in danger (bears cannot legally be trapped). A black bear was killed in a body-crushing kill trap that set for fisher in Dec 2021. Many other bears are likely injured or killed that go unreported.

VFWD's recommendations will not prevent dogs like this one who died in a body-crushing kill trap in December 2022 in Vermont.



A body-crushing trap snapped on Clara's neck, strangling her.

VFWD's proposal:

- No foothold traps can be set on or within 25' of the traveled portion of a trail on state owned public unless set in a culvert, in the water, or at least 5' above the ground
- No body-gripping traps can be set on or within 50' of the traveled portion of a trail on state-owned public land, unless set in a culvert, in the water, or at least 5' above the ground

Wildlife advocates' original recommendation:

No traps may be set:

- Within 150 feet of any public trail
- Within 500 feet of any trailhead that is accessible to vehicular traffic
- Within 1000 feet of any public campground or picnic area
- If there are any designated wildlife crossings, specifically those crossings that were erected and/or maintained for that purpose, no traps may be set within 500 feet of entry points or inside structure. It places animals at an extreme unfair advantage if they are using these travel ways to safely crossroads and end up trapped. Other states with long trapping histories (e.g. Montana and Oregon), require setbacks

Wildlife advocates' issue with VFWD recommendation:

Does not include the tens of thousands of public lands where the public recreates. 25 feet is a grossly insufficient setback, especially near trailheads. Retractable leashes can extend up to 26 feet. Additionally, traps placed in a culvert or in the water, are a danger to dogs who frequently stop to drink.

Act 159 requires: "requirements for the location of traps, including the placing of traps for purposes other than nuisance trapping at a

safe distance, from public trails, class 4 roads, playgrounds, parks, and other public locations where persons may reasonably be expected to recreate.”

VFWD’s proposal:

- Have base plates that feature a center chain mount with swivel, with free moving chain and at least one additional swivel.
- Any foothold trap triggered by downward pressure must be adjustable for pan tension.
- Traps must be anchored with a maximum of 18” chain length. Extra swivels and/or shock springs can be added to the chaining system.
- Foothold traps must be padded or offset, laminated, or have jaws with a minimum thickness of 5/16ths.
- No foothold traps shall be set on land with a spread of more than 6¼ inches measured inside the widest expanse of the jaws.

Wildlife advocates’ issue with VFWD recommendation: These recommendations were the exact proposals offered by VT Trappers Association and offer no improvements to animal welfare, especially in the case of non-targeted animals that are trapped.

Some of these recommendations are already standard requirements in other states such as Maine and New Hampshire, illustrating that these recommendations are nothing exemplary. These recommendations are also largely un-enforceable.

Photos and videos shown by Protect Our Wildlife and Vermont Wildlife Coalition during March and April 2023 testimony to the Senate Natural Resources and House Environment & Energy illustrate how BMP-approved traps are still grossly inhumane.

Euphemisms such as "padded" traps are meaningless to the trapped animal. This is a padded trap that was found by one of our members in her backyard.

Does this look humane?



Severed paw remaining in Oneida-Victor™ Softcatch leghold trap found by a VT resident.

This leghold trap, containing a severed paw, is referred to as a Softcatch "padded" leghold trap. It's listed under Fish & Wildlife's "Best Management Practices" for trapping.



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During the Working Group meetings VFWD made no recommendation on humane methods of killing trapped animals despite the legislative mandate.

Our recommendation is gunshot only. Currently, trapped animals are drowned, bludgeoned, stomped on to crush the heart and lungs (referred to as "chest compression") and choked. VFWD was unwilling to accept our recommendation and had asked for more time to deliberate.

Only after the urging of David Deen at the Apr 5, 2023 Fish & Wildlife Board meeting, did VFWD agree to include gunshot, crossbow, muzzleloader, but they are still waiting for the Association of Fish & Wildlife Agencies' position. We know that AFWA currently allows bludgeoning and stomping on trapped animals.

Lastly, the HSUS asked the working group whether these BMP trapping recommendations could be required for those trapping under title 10 V.S.A. §4828 (in defense of property) but the matter was never brought up for further discussion. Individuals trapping for whatever reason, whether it be recreational or in defense of property, should be held to the same standards. According to the 8/23/22 minutes, the commissioner confirmed that the group could, however, make a recommendation to alter the statute to require that the BMP's cover trapping in defense of property.

Signed,

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